

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Connect America Fund)	WC Docket No. 10-90
)	
A National Broadband Plan for Our Future)	GN Docket No. 09-51
)	
Establishing Just and Reasonable Rates for Local Exchange Carriers)	WC Docket No. 07-135
)	
High-Cost Universal Service Support)	WC Docket No. 05-337
)	
Developing an Unified Intercarrier Compensation Regime)	CC Docket No. 01-92
)	
Federal-State Joint Board on Universal Service)	CC Docket No. 96-45
)	
Lifeline and Link-Up)	WC Docket No. 03-109
)	
Universal Service Reform – Mobility Fund)	WT Docket No. 10-208

**PETITION FOR LIMITED WAIVER OF
47 C.F.R. §51.917(c)**

**ALENCO COMMUNICATIONS, INC.
FIVE AREA TELEPHONE COOPERATIVE, INC.
NORTEX COMMUNICATIONS
NORTH TEXAS TELEPHONE COMPANY
PEOPLES TELEPHONE COOPERATIVE, INC.
TOTELCOM COMMUNICATIONS, LLC
WEST PLAINS TELECOMMUNICATIONS, INC.
XIT RURAL TELEPHONE COOPERATIVE, INC.**

I. INTRODUCTION

Pursuant to §1.3 of the FCC’s rules, Alenco Communications, Inc., Five Area Telephone Cooperative, Inc., Nortex Communications, North Texas Telephone Company, Peoples Telephone Cooperative, Inc., Totelcom Communications, LLC, West Plains Telecommunications, Inc., and XIT Rural Telephone Cooperative, Inc. (collectively,

“Petitioners”) hereby request a limited waiver of 47 C.F.R. §51.917(c). All of the petitioners are rural, rate-of-return incumbent local exchange carriers (“RLECs”) operating in the state of Texas.

Section 51.917(c) of the FCC’s rules concerns the 2011 Rate-of-Return Carrier Base Period Revenue used in RLECs’ Rate-of-Return Eligible Recovery calculation. Among other things, §51.917(c) states that 2011 Rate-of-Return Carrier Base Period Revenue contains Fiscal Year 2011 revenues from Transitional Intrastate Access Service received by March 31, 2012. In addition, the *USF/ICC Transformation Order* establishes a process for including revenues in the Baseline that were recovered after the March 31, 2012 cutoff.¹ Petitioners seek a limited waiver of this provision so that they may include in their 2011 Base Period Revenue amounts that were billed to Halo Wireless, Inc. (“Halo”) for intrastate access services rendered during FY 2011 that cannot be collected as a result of Halo’s bankruptcy. These amounts were determined to be owed to each of the Petitioners by the Public Utility Commission of Texas (“Texas PUC”),² as detailed in Attachment A. The amounts are as follows:

<u>Petitioner</u>	<u>2011 Base Period Revenue Adjustment</u>
Alenco Communications, Inc.	\$9,279.86
Five Area Telephone Cooperative, Inc.	\$11,552.40
Nortex Communications	\$23,958.93
North Texas Telephone Company	\$8,341.36

¹ *Connect America Fund*, WC Docket No. 10-90, *A National Broadband Plan for Our Future*, GN Docket No. 09-51, *Establishing Just and Reasonable Rates for Local Exchange Carriers*, WC Docket No. 07-135, *High-Cost Universal Service Support*, WC Docket No. 05-137, *Developing a Unified Intercarrier Compensation Regime*, CC Docket No. 01-92, *Federal-State Joint Board on Universal Service*, CC Docket No. 96-45, *Lifeline and Link-Up*, WC Docket No. 03-109, *Universal Service Reform – Mobility Fund*, WT Docket No. 10-208, Report and Order and Further Notice of Proposed Rulemaking, FCC 11-161 (rel. Nov. 18, 2011), fn. 1745 (*USF/ICC Transformation Order*).

² *Petition of Eastex Telephone Cooperative, Inc. for Compulsory Arbitration with Halo Wireless, Inc. Under the Federal Telecommunications Act Relating to Interconnection Rates, Terms and Conditions*, Docket No. 40032 (Consolidated), Arbitration Award (Sept. 25, 2012) (Texas PUC Arbitration Award).

Peoples Telephone Cooperative, Inc.	\$84,312.08 ³
Totelcom Communications, LLC	\$37,965.46
West Plains Telecommunications, Inc.	\$49,099.82
XIT Rural Telephone Cooperative, Inc.	\$18,666.42

Once these amounts are included in Petitioners' 2011 Base Period Revenues, true-ups should be made to their prior Eligible Recovery calculations, effective July 1, 2012. As discussed below, there is good cause for the FCC to grant the Petitioners' limited waiver request as strict compliance with §51.917(c) would be inconsistent with the public interest and undermine the Commission's policy objectives for universal service and intercarrier compensation (ICC) reform.

II. BACKGROUND

The FCC is well aware of the issues surrounding Halo and their extensive access avoidance scheme that affected many RLECs beyond the Petitioners. To recap briefly: Beginning in 2010, Halo was forwarding traffic for termination to the Petitioners' networks without placing access service orders or entering into interconnection agreements. Most of the traffic was either wireline-originated intrastate access or non-Halo interMTA traffic, in which Halo was merely a transiting carrier in the call path. Appropriately, the Petitioners issued access charge invoices to Halo in conformity with their lawful access tariffs. However, Halo refused to pay any ICC to the Petitioners, arguing that all of its traffic was CMRS-originated and intraMTA, when in fact it was not. In other words, this was traffic that, absent Halo's access

³ This amount represents the sum of the Eligible Recovery amounts for Peoples Telephone Cooperative's Dallas LATA (\$56,028.37) and Longview LATA (\$28,283.71) as presented in Attachment A.

avoidance scheme “would have come through another carrier as access traffic and the [2011] revenues would have been paid and included in the 2011 Base Period.”⁴

As Halo’s access avoidance became pervasive, carriers and state regulators urged the FCC to put an end to their unscrupulous conduct. Eventually, the FCC addressed the issue in its *USF/ICC Transformation Order*, stating that “[t]he ‘re-origination’ of a call over a wireless link in the middle of the call path does not convert a wireline-originated call into a CMRS-originated call for purposes of reciprocal compensation and we disagree with Halo’s contrary position.”⁵

In the spring and summer of 2011, the Petitioners, along with a number of other Texas RLECs, pursued complaint and arbitration cases against Halo at the Texas PUC. Shortly thereafter, Halo filed for bankruptcy, which temporarily stayed all regulatory proceedings against them. After months of delay, the Texas PUC was able to consider the pending cases and in September 2012 it released a final arbitration award.⁶ In it, the Texas PUC arbitrators determined that the Petitioners had properly jurisdictionalized Halo’s traffic and applied the appropriate rates for each jurisdiction. However, by this time, Halo converted from Chapter 11 (reorganization) to Chapter 7 (liquidation) bankruptcy, prompting the Texas PUC to dismiss the case and eliminating the possibility that Halo will ever make payment on the ICC it owes the Petitioners. Thus, Petitioners seek a limited waiver of §51.917(c) so that they may include in their 2011 Base Period Revenues the intrastate access revenues rightfully owed to them by Halo for services rendered in FY2011 but that, despite the decision of the Texas PUC, cannot be collected due to Halo’s bankruptcy.

⁴ Petition of Cimarron Telephone Company, Cross Telephone Company, and Pottawatomie Telephone Company for Limited Waiver of 47 C.F.R. §51.917(c), WC Docket No. 10-90 *et al.* (Nov. 19, 2012), p. 5 (Cimarron Petition).

⁵ USF/ICC Transformation Order, ¶1006.

⁶ Texas PUC Arbitration Award.

III. GOOD CAUSE EXISTS TO GRANT PETITIONERS' WAIVER REQUEST

The FCC's rules may be waived on petition "if good cause therefor is shown."⁷ Good cause may be found and a waiver granted "where particular facts would make strict compliance inconsistent with the public interest."⁸ In addition, the FCC may grant a waiver of its rules where the requested relief would not undermine the policy objective of the rule in question, special circumstances warrant a deviation from the general rule, and such deviation will serve the public interest.⁹ Based on this standard, there is clearly good cause for the FCC to grant the Petitioners' limited waiver request.¹⁰

In the *USF/ICC Transformation Order*, the FCC foresaw that there may be some instances where switched access services or reciprocal compensation provided and billed in FY2011 may not be recovered until after the March 31, 2012 cut-off as the result of the decision of a court or regulatory agency of competent jurisdiction. To address this, the Order expressly permits carriers to request a waiver of the rules in order to account for such revenues in their Baseline.¹¹ In the case of the Petitioners, a regulatory agency of competent jurisdiction — the Texas PUC — found that the carriers properly jurisdictionalized Halo's traffic and applied the appropriate rates, and determined specific amounts owed to each of them. However, despite the Texas PUC's decision, Halo's Chapter 7 bankruptcy foreclosed the recovery of these revenues, an unlikely scenario the *USF/ICC Transformation Order* could not have reasonably

⁷ 47 C.F.R. §1.3.

⁸ *Northeast Cellular Telephone Co., L.P. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990).

⁹ *WAIT Radio v. FCC*, 418 F.2d 1153, 1159 (D.C. Cir. 1969), *aff'd*, 459 F.2d 1203 (D.C. Cir. 1972), *cert. denied*, 409 U.S. 1027 (1972).

¹⁰ It should be noted that all of the major trade associations representing RLECs support a waiver of §51.917(c) for all similarly situated rate-of-return carriers that were harmed by Halo's access avoidance schemes. *See*, Comments of the National Exchange Carrier Association, Inc., National Telecommunications Cooperative Association, Organization for the Promotion and Advancement of Small Telecommunications Companies, Eastern Rural Telecom Association, Western Telecommunications Alliance, and the United States Telecom Association, WC Docket No. 10-90 *et al.* (fil. Oct. 1, 2012), pp. 2-3. *See also*, Comments of the Independent Telephone & Telecommunications Alliance, WC Docket No. 10-90 *et al.* (fil. Oct. 1, 2012), pp. 2-3.

¹¹ *USF/ICC Transformation Order*, fn. 1745.

contemplated. Thus, as TDS Telecom explains, the mechanism the Commission designed to allow carriers to account for revenues not collected by March 31, 2012 is impeded from working effectively absent the grant of a limited waiver.¹²

In addition, strict application of §51.917(c) of the Commission's rules would unfairly lock in artificial and unrepresentative one-time revenue losses incurred by the Petitioners due to Halo's access arbitrage scheme.¹³ It would take the harm already caused by Petitioners' inability to collect the revenues owed to them by Halo and compound it over time merely because it occurred during the 2011 Base Period, which is the starting point for calculating all future year Baselines and Eligible Recovery amounts. The uncollected intrastate access revenues at issue are significant to the small RLEC Petitioners, representing approximately 18 percent of their collective existing FY 2011 Transitional Intrastate Revenues.

The *USF/ICC Transformation Order* states that it seeks to ensure that "the transition to a reformed intercarrier compensation and universal service system does not undermine continued network investment — and thus harm consumers."¹⁴ The Commission's reforms also "seek to enable more widespread deployment of broadband networks [and] to foster the transition to IP networks..."¹⁵ However, without the grant of the limited waiver request, Petitioners will have significantly fewer dollars over the life of the transition with which to make investments in IP networks, and extend and improve affordable voice and broadband services to their customers. Consequently, continued network investment will be undermined, and rural consumers are likely to be harmed. Clearly, this would be entirely at odds with the Commission's objectives for universal service and ICC reform.

¹² Petition of TDS Telecom for Limited Waiver of 47 C.F.R. §51.917(c), WC Docket No. 10-90 *et al.* (Aug. 10, 2012), pp. 13-14.

¹³ *See*, Cimarron Petition, p. 14.

¹⁴ USF/ICC Transformation Order, ¶858.

¹⁵ *Id.*, ¶854.

The *USF/ICC Transformation Order* has already produced considerable uncertainty and, in many cases, significant revenue losses for RLECs, making it far more challenging and risky for them to invest in their networks. In addition, the FCC has recognized that ILECs face regulatory constraints on their pricing and service requirements that otherwise limit their ability to recover costs.¹⁶ Failure to grant the limited waiver request would only serve to compound these challenges for the Petitioners.

Furthermore, grant of the Petitioners' limited waiver request would promote the FCC's objective to address arbitrage arising from current ICC regimes.¹⁷ One of the reasons the Commission based the interstate portion of the Rate-of-Return-Baseline on carriers' interstate switched access revenue requirement was because it "avoids implementation issues surrounding disputed or uncollectable... revenues" and would "substantially insulat[e] small carriers from the harms of arbitrage schemes."¹⁸ Unfortunately, a revenue requirement could not be established for intrastate switched access revenues or net reciprocal compensation, leaving carriers vulnerable to arbitrage schemes such as Halo's when establishing the intrastate portion of their Baseline. Granting the Petitioners' limited waiver request would therefore advance the Commission's policy objective to prevent distortions in the Eligible Recovery calculation caused by uncollectible revenues and arbitrage schemes.

IV. CONCLUSION

Based on the forgoing evidence, there is good cause for the FCC to grant the Petitioners' request for limited waiver of §51.917(c) of the rules and so doing will serve the public interest. The Petitioners, like most small RLECs, are committed to providing high-quality, affordable basic and advanced services to customers throughout their service areas. However, to do so

¹⁶ *Id.*, ¶862.

¹⁷ *Id.*, ¶752.

¹⁸ *Id.*, ¶871.

requires sufficient, predictable revenue streams. One of those key revenue streams – ICC – is now being phased out, but the Commission has established a recovery mechanism that is designed “to mitigate marketplace disruption during the reform transition, and to ensure [its] intercarrier compensation reforms do not unintentionally undermine [its] objectives for universal service reform.” Grant of the Petitioners’ limited waiver request would promote these objectives. It would establish accurate 2011 Base Period Revenues that account for the FY 2011 intrastate access amounts that the Petitioners could not collect from Halo due to arbitrage and bankruptcy, and which the Texas PUC found were owed to them. This will prevent the harm already incurred from the inability to collect these revenues from compounding throughout the life of the recovery mechanism. In turn, Petitioners will be better positioned to invest in modern, IP-based networks and extend and improve affordable voice and broadband services to customers throughout their service areas, consistent with the FCC’s policy objectives for universal service and ICC reform.

The Commission should therefore expeditiously include in Petitioners’ 2011 Base Period Revenues the following amounts that the Texas PUC found were owed to them by Halo for the provision of intrastate access services in FY 2011:

<u>Petitioner</u>	<u>2011 Base Period Revenue Adjustment</u>
Alenco Communications, Inc.	\$9,279.86
Five Area Telephone Cooperative, Inc.	\$11,552.40
Nortex Communications	\$23,958.93
North Texas Telephone Company	\$8,341.36
Peoples Telephone Cooperative, Inc.	\$84,312.08
Totelcom Communications, LLC	\$37,965.46
West Plains Telecommunications, Inc.	\$49,099.82

XIT Rural Telephone Cooperative, Inc. \$18,666.42

Once these amounts are included in the Petitioners' 2011 Base Period Revenues, true-ups should be made to their Eligible Recovery calculations, effective July 1, 2012.

Respectfully submitted,

/s/ Ray Bussell

Ray Bussell
General Manager
Alenco Communications, Inc.
427 North Broadway, P.O. Box 1000
Joshua, TX 76058
(817) 447-0127

/s/ Sandy Vandevender

Sandy Vandevender
Chief Executive Officer
Five Area Telephone Cooperative, Inc.
302 Uvalde Street, P.O. Box 448
Muleshoe, TX 79347
(806) 272-5533

/s/ Alvin M. Fuhrman

Alvin M. Fuhrman
President
Nortex Communications
205 North Walnut Street, P.O. Box 587
Muenster, TX 76252
(940) 759-2251

/s/ Toney Prather

Toney Prather
President
North Texas Telephone Company
6100 Highway 16, P.O. Box 290
De Leon, TX 76444
(254) 893-1000

/s/ Steven Steele

Steven Steele
General Manager
Peoples Telephone Cooperative, Inc.
102 North Stephens Street, P.O. Box 228
Quitman, TX 75783
(903) 878-0104

/s/ Toney Prather

Toney Prather
President
Totelcom Communications, LLC
6100 Highway 16, P.O. Box 290
De Leon, TX 76444
(254) 893-1000

/s/ Sandy Vandevender

Sandy Vandevender
Chief Executive Officer
West Plains Telecommunications, Inc.
302 Uvalde Street, P.O. Box 1012
Muleshoe, TX 79347
(806) 272-5533

/s/ Darrell F. Dennis

Darrell F. Dennis
General Manager
XIT Rural Telephone Cooperative, Inc.
12324 U.S. Highway 87, P.O. Box 711
Dalhart, TX 79022
(806) 384-3311

April 25, 2014

ATTACHMENT A

ALENCO COMMUNICATIONS, INC.

TEST YEAR

Month	MOUs			Composite Rates			Revenues			
	Local	Intrastate	Interstate	Local	Intrastate	Interstate	Local	Intrastate	Interstate	Total
Oct-10	0	20,715	20,715	0.00549	0.063472	0.04417	\$0.00	\$1,314.82	\$914.98	\$2,229.80
Nov-10	0	22,600	22,599	0.00549	0.063472	0.04417	\$0.00	\$1,434.47	\$998.20	\$2,432.67
Dec-10	0	17,828	17,827	0.00549	0.063472	0.04417	\$0.00	\$1,131.58	\$787.42	\$1,919.00
Jan-11	0	15,875	15,875	0.00549	0.063472	0.04417	\$0.00	\$1,007.62	\$701.20	\$1,708.82
Feb-11	0	12,148	12,148	0.00549	0.063472	0.04417	\$0.00	\$771.06	\$536.58	\$1,307.64
Mar-11	0	11,459	11,459	0.00549	0.063472	0.04417	\$0.00	\$727.33	\$506.14	\$1,233.47
Apr-11	0	6,757	6,757	0.00549	0.063472	0.04417	\$0.00	\$428.88	\$298.46	\$727.34
May-11	0	7,899	7,898	0.00549	0.063472	0.04417	\$0.00	\$501.37	\$348.85	\$850.22
Jun-11	0	5,315	5,314	0.00549	0.063472	0.04417	\$0.00	\$337.35	\$234.72	\$572.07
Jul-11	0	0	0	0.00592	0.063472	0.04417	\$0.00	\$0.00	\$0.00	\$0.00
Aug 1-8, 2011	0	0	0	0.00592	0.063472	0.04417	\$0.00	\$0.00	\$0.00	\$0.00
Aug 9-31, 2011	5,406	11,043	17,514	0.00592	0.06347	0.05261	\$32.00	\$700.90	\$921.41	\$1,654.31
Sep-11	7,768	13,337	34,161	0.00592	0.06347	0.05261	\$45.99	\$846.50	\$1,797.21	\$2,689.70

\$77.99 \$9,201.87 \$8,045.17 \$17,325.03

Total Eligible Recovery Amount (Local + Intrastate) \$9,279.86

ATTACHMENT A

FIVE AREA TELEPHONE COOPERATIVE, INC.

TEST YEAR

Month	MOUs			Composite Rates			Revenues			
	Local	Intrastate	Interstate	Local	Intrastate	Interstate	Local	Intrastate	Interstate	Total
Oct-10	0	14,503	14,502	0.00903	0.06147	0.04621	\$0.00	\$891.43	\$670.11	\$1,561.54
Nov-10	0	15,342	15,342	0.00903	0.06147	0.04621	\$0.00	\$943.00	\$708.92	\$1,651.93
Dec-10	0	18,492	18,493	0.00903	0.06147	0.04621	\$0.00	\$1,136.62	\$854.52	\$1,991.14
Jan-11	0	10,764	10,764	0.00903	0.06147	0.04621	\$0.00	\$661.61	\$497.38	\$1,159.00
Feb-11	0	5,639	5,639	0.00903	0.06147	0.04621	\$0.00	\$346.60	\$260.57	\$607.17
Mar-11	0	7,251	7,250	0.00903	0.06147	0.04621	\$0.00	\$445.69	\$335.01	\$780.69
Apr-11	0	20,104	20,105	0.00903	0.06147	0.04621	\$0.00	\$1,235.70	\$929.01	\$2,164.71
May-11	0	29,575	29,575	0.00903	0.06147	0.04621	\$0.00	\$1,817.84	\$1,366.60	\$3,184.44
Jun-11	0	27,696	27,695	0.00903	0.06147	0.04621	\$0.00	\$1,702.35	\$1,279.73	\$2,982.08
Jul-11	0	24,267	24,268	0.00954	0.06147	0.04621	\$0.00	\$1,491.58	\$1,121.38	\$2,612.96
Aug 1-8, 2011	0	2,016	2,016	0.00954	0.06147	0.04621	\$0.00	\$123.91	\$93.16	\$217.07
Aug 9-31, 2011	6,307	5,450	10,134	0.00954	0.06147	0.05474	\$60.17	\$334.99	\$554.71	\$949.87
Sep-11	4,036	5,245	13,797	0.00954	0.06147	0.05474	\$38.50	\$322.39	\$755.22	\$1,116.11

\$98.67 \$11,453.73 \$9,426.32 \$20,978.72

Total Eligible Recovery Amount (Local + Intrastate) \$11,552.40

ATTACHMENT A

NORTEX COMMUNICATIONS

TEST YEAR

Month	MOUs			Composite Rates			Revenues			
	Local	Intrastate	Interstate	Local	Intrastate	Interstate	Local	Intrastate	Interstate	Total
Oct-10	0	0	0	0.00747	0.068693	0.04408	\$0.00	\$0.00	\$0.00	\$0.00
Nov-10	0	0	0	0.00747	0.068693	0.04408	\$0.00	\$0.00	\$0.00	\$0.00
Dec-10	0	4,842	4,842	0.00747	0.068693	0.04408	\$0.00	\$332.61	\$213.44	\$546.05
Jan-11	0	43,892	43,892	0.00747	0.068693	0.04408	\$0.00	\$3,015.07	\$1,934.76	\$4,949.83
Feb-11	0	33,656	33,656	0.00747	0.068693	0.04408	\$0.00	\$2,311.93	\$1,483.56	\$3,795.49
Mar-11	0	21,427	21,427	0.00747	0.068693	0.04408	\$0.00	\$1,471.88	\$944.50	\$2,416.39
Apr-11	0	38,811	38,811	0.00747	0.068693	0.04408	\$0.00	\$2,666.04	\$1,710.79	\$4,376.83
May-11	0	50,276	50,276	0.00747	0.068693	0.04408	\$0.00	\$3,453.61	\$2,216.17	\$5,669.77
Jun-11	0	51,704	51,704	0.00747	0.068693	0.04408	\$0.00	\$3,551.70	\$2,279.11	\$5,830.81
Jul-11	0	42,475	42,474	0.00673	0.068693	0.04408	\$0.00	\$2,917.73	\$1,872.25	\$4,789.99
Aug 1-8, 2011	0	0	0	0.00673	0.068693	0.04408	\$0.00	\$0.00	\$0.00	\$0.00
Aug 9-31, 2011	34,247	21,790	43,087	0.00673	0.068693	0.054398	\$230.48	\$1,496.82	\$2,343.85	\$4,071.15
Sep-11	43,979	32,246	72,496	0.00673	0.068693	0.054398	\$295.98	\$2,215.07	\$3,943.64	\$6,454.69

\$526.46 \$23,432.47 \$18,942.06 \$42,900.99

Total Eligible Recovery Amount (Local + Intrastate) \$23,958.93

ATTACHMENT A

NORTH TEXAS TELEPHONE COMPANY

TEST YEAR

Month	MOUs			Composite Rates			Revenues			
	Local	Intrastate	Interstate	Local	Intrastate	Interstate	Local	Intrastate	Interstate	Total
Oct-10	0	25,111	25,110	0.00506	0.06211	0.04374	\$0.00	\$1,559.55	\$1,098.26	\$2,657.81
Nov-10	0	29,328	29,328	0.00506	0.06211	0.04374	\$0.00	\$1,821.45	\$1,282.75	\$3,104.20
Dec-10	0	30,956	30,955	0.00506	0.06211	0.04374	\$0.00	\$1,922.56	\$1,353.91	\$3,276.47
Jan-11	0	13,976	13,976	0.00506	0.06211	0.04374	\$0.00	\$868.00	\$611.28	\$1,479.28
Feb-11	0	8,699	8,698	0.00506	0.06211	0.04374	\$0.00	\$540.26	\$380.43	\$920.70
Mar-11	0	5,887	5,886	0.00506	0.06211	0.04374	\$0.00	\$365.62	\$257.44	\$623.06
Apr-11	0	6,146	6,146	0.00506	0.06211	0.04374	\$0.00	\$381.71	\$268.81	\$650.52
May-11	0	5,402	5,402	0.00506	0.06211	0.04374	\$0.00	\$335.50	\$236.27	\$571.77
Jun-11	0	4,081	4,081	0.00506	0.06211	0.04374	\$0.00	\$253.46	\$178.49	\$431.95
Jul-11	0	2,242	2,242	0.00506	0.06211	0.04374	\$0.00	\$139.24	\$98.06	\$237.30
Aug 1-8, 2011	0	0	0	0.00506	0.06211	0.04374	\$0.00	\$0.00	\$0.00	\$0.00
Aug 9-31, 2011	126	1,193	3,053	0.00497	0.06211	0.05167	\$0.63	\$74.09	\$157.75	\$232.47
Sep-11	172	1,263	7,023	0.00497	0.06211	0.05167	\$0.85	\$78.44	\$362.88	\$442.17

\$1.48 \$8,339.88 \$6,286.35 \$14,627.71

Total Eligible Recovery Amount (Local + Intrastate) \$8,341.36

ATTACHMENT A

PEOPLES TELEPHONE COOPERATIVE, INC. (DALLAS LATA)

TEST YEAR

Month	MOUs			Composite Rates			Revenues			
	Local	Intrastate	Interstate	Local	Intrastate	Interstate	Local	Intrastate	Interstate	Total
Oct-10	0	87,245	87,244	0.00523	0.04395	0.02976	\$0.00	\$3,834.33	\$2,596.73	\$6,431.06
Nov-10	0	116,161	116,160	0.00523	0.04395	0.02976	\$0.00	\$5,105.16	\$3,457.39	\$8,562.55
Dec-10	0	105,520	105,520	0.00523	0.04395	0.02976	\$0.00	\$4,637.50	\$3,140.70	\$7,778.20
Jan-11	0	98,057	98,056	0.00523	0.04395	0.02976	\$0.00	\$4,309.51	\$2,918.54	\$7,228.05
Feb-11	0	101,989	101,988	0.00523	0.04395	0.02976	\$0.00	\$4,482.31	\$3,035.57	\$7,517.89
Mar-11	0	123,362	123,361	0.00523	0.04395	0.02976	\$0.00	\$5,421.64	\$3,671.72	\$9,093.35
Apr-11	0	80,588	80,587	0.00523	0.04395	0.02976	\$0.00	\$3,541.76	\$2,398.59	\$5,940.35
May-11	0	75,637	75,637	0.00523	0.04395	0.02976	\$0.00	\$3,324.17	\$2,251.26	\$5,575.43
Jun-11	0	208,138	208,137	0.00523	0.04395	0.02976	\$0.00	\$9,147.46	\$6,194.99	\$15,342.45
Jul-11	0	124,102	124,101	0.00523	0.04395	0.02976	\$0.00	\$5,454.16	\$3,693.74	\$9,147.90
Aug 1-8, 2011	0	77,278	77,278	0.00523	0.04395	0.02976	\$0.00	\$3,396.29	\$2,300.10	\$5,696.39
Aug 9-31, 2011	10,384	25,618	52,720	0.00501	0.04395	0.02926	\$52.02	\$1,125.89	\$1,542.53	\$2,720.44
Sep-11	18,149	47,902	86,937	0.00501	0.04395	0.02926	\$90.93	\$2,105.24	\$2,543.69	\$4,739.86

\$142.95 \$55,885.42 \$39,745.55 \$95,773.92

Total Eligible Recovery Amount (Local + Intrastate) \$56,028.37

ATTACHMENT A

PEOPLES TELEPHONE COOPERATIVE, INC. (LONGVIEW LATA)

TEST YEAR

Month	MOUs			Composite Rates			Revenues			
	Local	Intrastate	Interstate	Local	Intrastate	Interstate	Local	Intrastate	Interstate	Total
Oct-10	0	37,411	37,411	0.00628	0.04825	0.02969	\$0.00	\$1,805.08	\$1,110.66	\$2,915.74
Nov-10	0	43,407	43,407	0.00628	0.04825	0.02969	\$0.00	\$2,094.39	\$1,288.67	\$3,383.05
Dec-10	0	42,166	42,166	0.00628	0.04825	0.02969	\$0.00	\$2,034.51	\$1,251.82	\$3,286.33
Jan-11	0	20,557	20,557	0.00628	0.04825	0.02969	\$0.00	\$991.88	\$610.30	\$1,602.17
Feb-11	0	19,803	19,803	0.00628	0.04825	0.02969	\$0.00	\$955.49	\$587.91	\$1,543.41
Mar-11	0	19,757	19,756	0.00628	0.04825	0.02969	\$0.00	\$953.28	\$586.52	\$1,539.79
Apr-11	0	30,923	30,923	0.00628	0.04825	0.02969	\$0.00	\$1,492.03	\$918.04	\$2,410.08
May-11	0	35,317	35,317	0.00628	0.04825	0.02969	\$0.00	\$1,704.05	\$1,048.49	\$2,752.54
Jun-11	0	34,849	34,848	0.00628	0.04825	0.02969	\$0.00	\$1,681.46	\$1,034.57	\$2,716.03
Jul-11	0	22,654	22,654	0.00628	0.04825	0.02969	\$0.00	\$1,093.06	\$672.55	\$1,765.61
Aug 1-8, 2011	0	24,014	24,014	0.00628	0.04825	0.02969	\$0.00	\$1,158.68	\$712.93	\$1,871.60
Aug 9-31, 2011	72,806	67,993	81,174	0.00614	0.04825	0.03135	\$447.03	\$3,280.66	\$2,545.13	\$6,272.82
Sep-11	310,552	138,556	207,425	0.00614	0.04825	0.03135	\$1,906.79	\$6,685.33	\$6,503.60	\$15,095.72

\$2,353.82 \$25,929.89 \$18,871.19 \$47,154.89

Total Eligible Recovery Amount (Local + Intrastate) \$28,283.71

ATTACHMENT A

TOTELCOM COMMUNICATIONS

TEST YEAR

Month	MOUs			Composite Rates			Revenues			
	Local	Intrastate	Interstate	Local	Intrastate	Interstate	Local	Intrastate	Interstate	Total
Oct-10	0	6,659	6,659	0.00823	0.06850	0.040633	\$0.00	\$456.17	\$270.58	\$726.74
Nov-10	0	8,780	8,779	0.00823	0.06850	0.040633	\$0.00	\$601.46	\$356.72	\$958.18
Dec-10	0	68,440	68,440	0.00823	0.06850	0.040633	\$0.00	\$4,688.41	\$2,780.92	\$7,469.33
Jan-11	0	53,113	53,112	0.00823	0.06850	0.040633	\$0.00	\$3,638.45	\$2,158.10	\$5,796.55
Feb-11	0	49,476	49,475	0.00823	0.06850	0.040633	\$0.00	\$3,389.30	\$2,010.32	\$5,399.62
Mar-11	0	27,670	27,670	0.00823	0.06850	0.040633	\$0.00	\$1,895.50	\$1,124.32	\$3,019.82
Apr-11	0	39,331	39,331	0.00823	0.06850	0.040633	\$0.00	\$2,694.33	\$1,598.14	\$4,292.46
May-11	0	47,839	47,838	0.00823	0.06850	0.040633	\$0.00	\$3,277.16	\$1,943.80	\$5,220.96
Jun-11	0	53,321	53,321	0.00823	0.06850	0.040633	\$0.00	\$3,652.70	\$2,166.59	\$5,819.29
Jul-11	0	37,831	37,831	0.00823	0.06850	0.040633	\$0.00	\$2,591.57	\$1,537.19	\$4,128.76
Aug 1-8, 2011	0	0	0	0.00823	0.06850	0.040633	\$0.00	\$0.00	\$0.00	\$0.00
Aug 9-31, 2011	57,430	62,462	50,549	0.00801	0.06850	0.055672	\$460.01	\$4,278.89	\$2,814.16	\$7,553.07
Sep-11	77,824	83,472	83,806	0.00801	0.06850	0.055672	\$623.37	\$5,718.16	\$4,665.65	\$11,007.17

\$1,083.38 \$36,882.08 \$23,426.48 \$61,391.94

Total Eligible Recovery Amount (Local + Intrastate) \$37,965.46

ATTACHMENT A

WEST PLAINS TELECOMMUNICATIONS, INC.

TEST YEAR

Month	MOUs			Composite Rates			Revenues			
	Local	Intrastate	Interstate	Local	Intrastate	Interstate	Local	Intrastate	Interstate	Total
Oct-10	0	45,626	45,626	0.00867	0.05986	0.04897	\$0.00	\$2,731.02	\$2,234.21	\$4,965.24
Nov-10	0	44,595	44,595	0.00867	0.05986	0.04897	\$0.00	\$2,669.31	\$2,183.73	\$4,853.04
Dec-10	0	53,317	53,317	0.00867	0.05986	0.04897	\$0.00	\$3,191.38	\$2,610.83	\$5,802.21
Jan-11	0	45,991	45,991	0.00867	0.05986	0.04897	\$0.00	\$2,752.87	\$2,252.09	\$5,004.96
Feb-11	0	22,667	22,668	0.00867	0.05986	0.04897	\$0.00	\$1,356.77	\$1,110.01	\$2,466.78
Mar-11	0	47,172	47,172	0.00867	0.05986	0.04897	\$0.00	\$2,823.56	\$2,309.92	\$5,133.48
Apr-11	0	88,412	88,413	0.00867	0.05986	0.04897	\$0.00	\$5,292.05	\$4,329.41	\$9,621.46
May-11	0	129,998	129,998	0.00867	0.05986	0.04897	\$0.00	\$7,781.26	\$6,365.74	\$14,147.00
Jun-11	0	102,344	102,344	0.00867	0.05986	0.04897	\$0.00	\$6,125.98	\$5,011.58	\$11,137.56
Jul-11	0	125,448	125,447	0.00867	0.05986	0.04897	\$0.00	\$7,508.91	\$6,142.89	\$13,651.80
Aug 1-8, 2011	0	16,483	16,483	0.00867	0.05986	0.04897	\$0.00	\$986.62	\$807.14	\$1,793.76
Aug 9-31, 2011	82,907	33,574	71,052	0.00913	0.05986	0.05960	\$756.94	\$2,009.63	\$4,234.70	\$7,001.27
Sep-11	74,076	40,717	89,927	0.00913	0.05986	0.05960	\$676.31	\$2,437.19	\$5,359.65	\$8,473.15

\$1,433.25 \$47,666.56 \$44,951.89 \$94,051.71

Total Eligible Recovery Amount (Local + Intrastate) \$49,099.82

ATTACHMENT A

XIT RURAL TELEPHONE COOPERATIVE, INC.

TEST YEAR

Month	MOUs			Composite Rates			Revenues			
	Local	Intrastate	Interstate	Local	Intrastate	Interstate	Local	Intrastate	Interstate	Total
Oct-10	0	0	0	0.0083	0.091994	0.048081	\$0.00	\$0.00	\$0.00	\$0.00
Nov-10	0	0	0	0.0083	0.091994	0.048081	\$0.00	\$0.00	\$0.00	\$0.00
Dec-10	0	0	0	0.0083	0.091994	0.048081	\$0.00	\$0.00	\$0.00	\$0.00
Jan-11	0	22,577	22,576	0.0083	0.091994	0.048081	\$0.00	\$2,076.95	\$1,085.48	\$3,162.43
Feb-11	0	24,490	24,489	0.0083	0.091994	0.048081	\$0.00	\$2,252.93	\$1,177.46	\$3,430.39
Mar-11	0	14,213	14,213	0.0083	0.091994	0.048081	\$0.00	\$1,307.51	\$683.38	\$1,990.89
Apr-11	0	14,548	14,548	0.0083	0.091994	0.048081	\$0.00	\$1,338.33	\$699.48	\$2,037.81
May-11	0	18,188	18,187	0.0083	0.091994	0.048081	\$0.00	\$1,673.19	\$874.45	\$2,547.64
Jun-11	0	16,189	16,189	0.0083	0.091994	0.048081	\$0.00	\$1,489.29	\$778.38	\$2,267.67
Jul-11	0	12,553	12,553	0.0083	0.091994	0.048081	\$0.00	\$1,154.80	\$603.56	\$1,758.36
Aug 1-8, 2011	0	0	0	0.0083	0.091994	0.048081	\$0.00	\$0.00	\$0.00	\$0.00
Aug 9-31, 2011	5,078	8,370	18,988	0.00913	0.091994	0.056258	\$46.36	\$769.99	\$1,068.23	\$1,884.58
Sep-11	33,696	67,933	64,397	0.00913	0.091994	0.056258	\$307.64	\$6,249.43	\$3,622.85	\$10,179.92

\$354.01 \$18,312.42 \$10,593.26 \$29,259.68

Total Eligible Recovery Amount (Local + Intrastate) \$18,666.42

Declaration of Ray Bussell

1. My name is Ray Bussell and I am the General Manager for Alenco Communications, Inc.
2. I certify that none of the amounts owed by Halo Wireless, Inc. that are the subject of the Petition for Limited Waiver were included in Alenco Communications' Eligible Recovery Amount baseline filings with the FCC.
3. The calculations in Attachment A accurately reflect the proper jurisdictionalization of minutes of use and rates as determined in the Public Utility Commission of Texas's Arbitration Award in Docket No. 40032 (consolidated) for Halo Wireless' traffic terminated by Alenco Communications between October 1, 2010 and September 30, 2011.
4. I declare under penalty of perjury that the facts contained in this Declaration, and in the Petition for Limited Waiver are true and correct to the best of my knowledge, information and belief.

A handwritten signature in cursive script, reading "Ray Bussell", is written over a solid horizontal line.

Ray Bussell
General Manager
Alenco Communications, Inc.

April 25, 2014

Declaration of Sandy Vandevender

1. My name is Sandy Vandevender and I am the Chief Executive Officer for Five Area Telephone Cooperative, Inc.
2. I certify that none of the amounts owed by Halo Wireless, Inc. that are the subject of the Petition for Limited Waiver were included in Five Area Telephone Cooperative's Eligible Recovery Amount baseline filings with the FCC.
3. The calculations in Attachment A accurately reflect the proper jurisdictionalization of minutes of use and rates as determined in the Public Utility Commission of Texas's Arbitration Award in Docket No. 40032 (consolidated) for Halo Wireless' traffic terminated by Five Area Telephone Cooperative between October 1, 2010 and September 30, 2011.
4. I declare under penalty of perjury that the facts contained in this Declaration, and in the Petition for Limited Waiver are true and correct to the best of my knowledge, information and belief.



Sandy Vandevender
Chief Executive Officer
Five Area Telephone Cooperative, Inc.
April 25, 2014

Declaration of Alvin M. Fuhrman

1. My name is Alvin M. Fuhrman and I am the President for Nortex Communications.
2. I certify that none of the amounts owed by Halo Wireless, Inc. that are the subject of the Petition for Limited Waiver were included in Nortex Communications' Eligible Recovery Amount baseline filings with the FCC.
3. The calculations in Attachment A accurately reflect the proper jurisdictionalization of minutes of use and rates as determined in the Public Utility Commission of Texas's Arbitration Award in Docket No. 40032 (consolidated) for Halo Wireless' traffic terminated by Nortex Communications between October 1, 2010 and September 30, 2011.
4. I declare under penalty of perjury that the facts contained in this Declaration, and in the Petition for Limited Waiver are true and correct to the best of my knowledge, information and belief.

Alvin M. Fuhrman

Alvin M. Fuhrman
President
Nortex Communications
April 25, 2014

Declaration of Toney Prather

1. My name is Toney Prather and I am the President for North Texas Telephone Company.
2. I certify that none of the amounts owed by Halo Wireless, Inc. that are the subject of the Petition for Limited Waiver were included in North Texas Telephone Company's Eligible Recovery Amount baseline filings with the FCC.
3. The calculations in Attachment A accurately reflect the proper jurisdictionalization of minutes of use and rates as determined in the Public Utility Commission of Texas's Arbitration Award in Docket No. 40032 (consolidated) for Halo Wireless' traffic terminated by North Texas Telephone Company between October 1, 2010 and September 30, 2011.
4. I declare under penalty of perjury that the facts contained in this Declaration, and in the Petition for Limited Waiver are true and correct to the best of my knowledge, information and belief.

A handwritten signature in black ink, appearing to read 'Toney Prather', written over a horizontal line.

Toney Prather
President
North Texas Telephone Company
April 25, 2014

Declaration of Steven Steele

1. My name is Steven Steele and I am the General Manager for People's Telephone Cooperative, Inc.
2. I certify that none of the amounts owed by Halo Wireless, Inc. that are the subject of the Petition for Limited Waiver were included in Peoples Telephone Cooperative's Eligible Recovery Amount baseline filings with the FCC.
3. The calculations in Attachment A accurately reflect the proper jurisdictionalization of minutes of use and rates as determined in the Public Utility Commission of Texas's Arbitration Award in Docket No. 40032 (consolidated) for Halo Wireless' traffic terminated by Peoples Telephone Cooperative between October 1, 2010 and September 30, 2011.
4. I declare under penalty of perjury that the facts contained in this Declaration, and in the Petition for Limited Waiver are true and correct to the best of my knowledge, information and belief.

A handwritten signature in dark ink, appearing to read 'Steele', is written over a horizontal line.

Steven Steele
General Manager
Peoples Telephone Cooperative, Inc.
April 25, 2014

Declaration of Toney Prather

1. My name is Toney Prather and I am the President for Totelcom Communications, LLC.
2. I certify that none of the amounts owed by Halo Wireless, Inc. that are the subject of the Petition for Limited Waiver were included in Totelcom Communications' Eligible Recovery Amount baseline filings with the FCC.
3. The calculations in Attachment A accurately reflect the proper jurisdictionalization of minutes of use and rates as determined in the Public Utility Commission of Texas's Arbitration Award in Docket No. 40032 (consolidated) for Halo Wireless' traffic terminated by Totelcom Communications between October 1, 2010 and September 30, 2011.
4. I declare under penalty of perjury that the facts contained in this Declaration, and in the Petition for Limited Waiver are true and correct to the best of my knowledge, information and belief.

A handwritten signature in black ink, appearing to read 'Toney Prather', is written over a horizontal line.

Toney Prather

President

Totelcom Communications, LLC

April 25, 2014

Declaration of Sandy Vandevender

1. My name is Sandy Vandevender and I am the Chief Executive Officer for West Plains Telecommunications, Inc.
2. I certify that none of the amounts owed by Halo Wireless, Inc. that are the subject of the Petition for Limited Waiver were included in West Plains Telecommunications' Eligible Recovery Amount baseline filings with the FCC.
3. The calculations in Attachment A accurately reflect the proper jurisdictionalization of minutes of use and rates as determined in the Public Utility Commission of Texas's Arbitration Award in Docket No. 40032 (consolidated) for Halo Wireless' traffic terminated by West Plains Telecommunications between October 1, 2010 and September 30, 2011.
4. I declare under penalty of perjury that the facts contained in this Declaration, and in the Petition for Limited Waiver are true and correct to the best of my knowledge, information and belief.

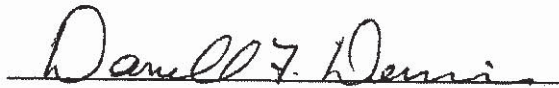
A handwritten signature in black ink, appearing to read 'Sandy Vandevender', is written over a horizontal line.

Sandy Vandevender
Chief Executive Officer
West Plains Telecommunications, Inc.

April 25, 2014

Declaration of Darrell F. Dennis

1. My name is Darrell F. Dennis and I am the General Manager for XIT Rural Telephone Cooperative, Inc.
2. I certify that none of the amounts owed by Halo Wireless, Inc. that are the subject of the Petition for Limited Waiver were included in XIT Rural Telephone Cooperative's Eligible Recovery Amount baseline filings with the FCC.
3. The calculations in Attachment A accurately reflect the proper jurisdictionalization of minutes of use and rates as determined in the Public Utility Commission of Texas's Arbitration Award in Docket No. 40032 (consolidated) for Halo Wireless' traffic terminated by XIT Rural Telephone Cooperative between October 1, 2010 and September 30, 2011.
4. I declare under penalty of perjury that the facts contained in this Declaration, and in the Petition for Limited Waiver are true and correct to the best of my knowledge, information and belief.



Darrell F. Dennis
General Manager
XIT Rural Telephone Cooperative, Inc.

April 25, 2014